

MINUTES

UTAH CONSTRUCTION SERVICES COMMISSION MEETING

July 23, 2008

**Room 474 Fourth Floor– 9:00 AM
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:03 AM

ADJOURNED: 12:15

Bureau Manager:

Dan S. Jones

Board Secretary:

Ann Naegelin

Board Members Present:

Bradley Stevens, Commission Chairman and
Electrician Board Chairman
Steve Bowers
Carl Tippetts
Joel Jolley
David Told, Plumbers Board Chairman
Larry Love, Burglar Alarm Board Chairman
Wendy Gibbs

Board Members Absent:

John Wilcox

Guests:

Scott Turner, J Rock Builders, LLC
Michael Hayes, MJ Hayes Construction LLC
Larry Hilton, Copperhead LLC
Jenna Williams, Utah Contractor Center

DOPL Staff Present:

David Stanley, Division Director
Ross Ford, Associate Director
Ray Walker, Regulatory and Compliance Officer
Dan T. Jones, Investigations Supervisor
Dennis Meservy, Bureau Manager

TOPICS FOR DISCUSSION

**ADMINISTRATIVE BUSINESS:
MINUTES**

DECISIONS AND RECOMMENDATIONS

The minutes from the June 25, 2008 meeting were reviewed. Mr. Jolley made a motion to approve the minutes as written. Mr. Bowers seconded the motion. Motion passed by unanimous vote.

DISCUSSION ITEMS:

**REVIEW PROPOSED DISCIPLINARY
ACTIONS:**

Copper-Head, LLC, contractor

Mr. Jones reviewed the terms of the Memorandum of Understanding for Copper-Head LLC and the criminal history for Mr. Hilton. Mr. Told made a motion to approve the MOU as written. Mr. Bowers seconded the motion. Motion passed by unanimous vote.

Michael George Norman, apprentice plumber

Mr. Meservy reviewed the terms of the Memorandum of Understanding and the criminal history for Mr. Norman. Mr. Norman met with the Plumbing Board. The Plumbing Board has reviewed and approved the MOU. Mr. Jolley made a motion to approve the MOU. Mr. Love seconded the motion. Motion passed by unanimous vote.

MJ Hayes Construction, LLC, contractor

Mr. Jones reviewed the terms of the Memorandum of Understanding for MJ Hayes Construction, LLC and the criminal history for Mr. Hayes. Mr. Hayes is currently under court probation and court ordered drug screens. He will continue with the court ordered drug screens until he has completed probation. He will undergo our drug screens once he is released from probation. Mr. Bowers made a motion to approve the MOU. Mr. Jolley seconded the motion. Four votes in favor. Mr. Tippetts, Mr. Love, and Mr. Told voted against the motion. Motion passed by a vote of four to three.

Cameron Craig Chamber, apprentice electrician

Mr. Meservy reviewed the Memorandum of Understanding and criminal history for Mr. Chambers. He is applying for reinstatement of an apprentice electrician license. Mr. Tippetts made a motion to approve the MOU. Mr. Told seconded the motion. Motion passed by unanimous vote.

J Rock Builders, LLC,, contractor

Mr. Jones reviewed the terms of the Memorandum of Understanding for J Rock Builders, LLC and the criminal history for Warren Scott Turner. Mr. Turner is currently the qualifier for C-J & K's Concrete which is on probation for five years. He has completed three of the five years of the probation. He is applying as a qualifier and part owner of J Rock Builders, LLC. Mr.

Love made a motion to approve the MOU, which includes an additional year of probation. Mr. Told seconded the motion. Motion passed by unanimous vote.

INVESTIGATION UPDATES DANIEL T. JONES

Mr. Daniel Jones reviewed the investigations statistics for June. Letters will be sent out to all licenses expired in November due to the confusion with the change in renewal dates. The number of complaints has increased for contractors who have not paid their subs and suppliers.

FOLLOW UP REVIEW OF PROBATIONS BY DIVISION OR COMMISSION

Mr. Jones asked the Commission for input regarding follow up interviews with probationers. The Commission does not want to meet with probationers unless there is a problem with their probation terms.

GOOD MORAL CHARACTER

The Commission continued their discussion regarding the addition of good moral character as a requirement for license.

Mr. Walker indicated the addition of good moral character would need to be done by statute, it cannot be done by rule. The Commission will also need to decide if a criminal background check should be added, as that must also be put in the statute.

Mr. Jones reminded that Commission that they will need to address who involved in the entity is disallowed from being licensed.

The Commission would like to include background checks to the requirements. Mr. Walker indicated that you need to determine how to interface background checks with license.

Mr. Jones will draft proposed language for the next meeting. Ownership needs to be included because they can hire someone who does not have the criminal background but they are controlling the company.

DISCIPLINARY ACTION FOR VARIOUS OFFENSES

Mr. Jones asked the Commission for input regarding handling applications for people who have a criminal history. He reviewed terms from Memorandums of Understanding depending on the offense and the amount of time since the conviction.

**PROPOSED CHANGES TO THE
PLUMBERS RULES**

The Commission reviewed changes to the rules as proposed by the Plumbers Board. Mr. Told made a motion to approve the plumber rules as written. Mr. Love seconded the motion. Motion passed by unanimous vote. The rules will be published and a date for a public hearing will be set.

**PROPOSED CHANGES TO THE BURGLAR
ALARM RULES**

The Commission reviewed changes to the rules as proposed by the Burglar Alarm Board. Mr. Love made a motion to accept the rules as stated. Mr. Told seconded the motion. Motion passed by unanimous vote. The rules will be published and a date for a public hearing will be set.

**DISCUSS ALLOWING A B100 OR R100 TO
QUALIFY FOR A LOWER
CLASSIFICATION OR BID ON SMALL
JOBS THAT ARE NOT INCIDENTAL**

The Commission discussed allowing a B100 or R100 to qualify for a lower classification or bid on small jobs. The Commission will allow a person to use experience for a lower classification, but they will need to pass any required trade exams.

**CONTINUING EDUCATION FOR
APPROVAL**

Mr. Bowers made a motion to pass all of the courses submitted by Southern Utah Home Builders Association except *How to Become a Short Sale Expert* and *10 Ways to Move Inventory and Increase Profitability*. Mr. Tippetts seconded the motion. Motion passed by unanimous vote.

Mr. Jolley made a motion to approve the courses submitted by the Utah Masonry Council. Mr. Bowers seconded the motion. Motion passed by unanimous vote.

Attendance at Commission Meeting

Mr. Wilcox will resign as a Commission Member once he is replaced.

ADJOURN:

Motion to adjourn by Mr. Told.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

August 27, 2008
Date Approved

(ss) Bradley Stevens
Chairperson, Construction Services Commission

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Date Approved

(ss) Dan S. Jones
Bureau Manager, Division of Occupational & Professional
Licensing